

- Application Serial No. 10/665,629
- Amendment dated September 10, 2004
- Reply to Office action of May 14, 2004

REMARKS

Claims 22 through 31 are pending in this application. Claims 1 through 21 are cancelled herein. Claims 22 through 31 are added herein. Support for the amendments to the claims may be found in the claims as originally filed, and in the specification. Reconsideration is requested based on the foregoing amendment and the following remarks.

Objections to the Drawings:

The drawings were objected to under 37 C.F.R. § 1.83(a) for not showing features specified in the claims. Claims 1 through 21 have been cancelled, as discussed above, and new claims 22 through 31 recite no fixing means or orientable fins. The objection is now submitted to be moot. Withdrawal of the objection to the drawings is earnestly solicited.

Claim Rejections - 35 U.S.C. § 112:

Claims 14 and 16 were rejected under 35 U.S.C. § 112, second paragraph, as indefinite. Claims 14 and 16 have been cancelled, as discussed above, and new claims 22 through 31 are submitted to be definite. Withdrawal of the rejection is earnestly solicited.

Claim Rejections - 35 U.S.C. § 102:

Claims 1 through 11 and 18 through 21 were rejected under 35 U.S.C. § 102(b) as anticipated by Takahashi *et al.*, US 5,194,043. Claims 1 through 21 were cancelled, as discussed above, and so the rejection is now submitted to be moot. The rejection is traversed to the extent it might apply to new claims 22 through 31.

Claim 22 recites, in pertinent part:

"the deflector means having an inner surface facing said bottom of the cap and an opposed outer surface and being angularly displaceable around a longitudinal axis extending parallel to said wall, from a closure position of said opening to a position in which it is inclined to the vertical direction of the air flow so that its outer face is turned towards the wall against which the unit is mounted."

Takahashi neither teaches, discloses, nor suggests a deflector means being angularly displaceable to a position in which it is inclined to the vertical direction of the air flow so that its

Application Serial No. 10/665,629
Amendment dated September 10, 2004
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outer face is turned towards the wall against which the unit is mounted, as recited in claim 22.

In Takahashi, rather, outlet 2 is in front cover 1, as shown in Figs. 1 and 2 and described at column 4, lines 14 and 16. Claim 22 is thus submitted to be allowable.

Claims 23, 24 and 27 through 29 depend from claim 22 and add further distinguishing elements. Claims 23, 24 and 27 through 29 are thus also submitted to be allowable.

Claim 25 recites, in pertinent part:

"the deflector vane having an inner surface facing said bottom of the cap and an opposed outer surface and being angularly displaceable around a longitudinal axis extending parallel to said wall, from a closure position of said opening to a position in which it is inclined to the vertical direction of the air flow so that its outer face is turned towards the wall against which the unit is mounted."

Takahashi neither teaches, discloses, nor suggests a deflector means being angularly displaceable to a position in which it is inclined to the vertical direction of the air flow so that its outer face is turned towards the wall against which the unit is mounted, as recited in claim 25. In Takahashi, rather, outlet 2 is in front cover 1, as shown in Figs. 1 and 2 and described at column 4, lines 14 and 16. Claim 25 is thus submitted to be allowable.

Claims 26, 30 and 31 depend from claim 25 and add further distinguishing elements. Claims 26, 30 and 31 are thus also submitted to be allowable.

Claim Rejections - 35 U.S.C. § 103:

Claims 12 through 16 were rejected under 35 U.S.C. § 103 as being unpatentable over Takahashi in view of Reuter, US 4,535,685. Claims 12 through 16 were cancelled, as discussed above, and so the rejection is now submitted to be moot. The rejection is traversed to the extent it might apply to new claims 22 through 31.

Reuter, used in the rejection, was not listed on the PTO-892 form accompanying the Office action. The Applicants request a PTO-892 listing Reuter be sent with the next communication from the Office.

Takahashi neither teaches, discloses, nor suggests a deflector means being angularly displaceable to a position in which it is inclined to the vertical direction of the air flow so that its outer face is turned towards the wall against which the unit is mounted, as discussed above with

Application Serial No. 10/665,629
Amendment dated September 10, 2004
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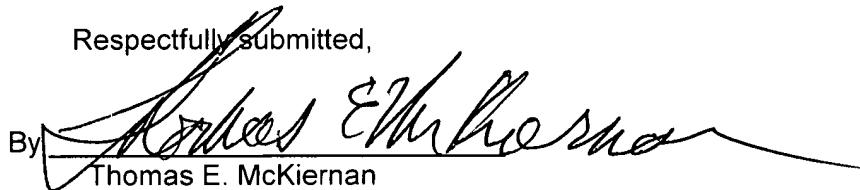
respect to claims 22 and 25. Reuter does not either, and thus cannot make up for the deficiencies of Takahashi with respect to claims 22 and 25. In Reuter, rather, a ring of downwardly directed outlet air nozzles 26 is provided in partition 18, as shown in Figs. 1-3 and described at column 4, lines 3 and 4. Claims 22 and 25 are thus submitted to be allowable.

Claims 23, 24 and 26 through 31 depend from either claim 22 or 25 and add further distinguishing elements. Claims 23, 24 and 26 through 31 are thus also submitted to be allowable.

Conclusion:

Accordingly, in view of the reasons given above, it is submitted that all claims 22 through 31 are allowable over the cited references. Allowance of all claims 22 through 31 and of this entire application are therefore respectfully requested.

Respectfully submitted,

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